

DRAFT  
CITY OF PALMETTO  
PLANNING AND ZONING BOARD  
June 26th, 2014 – 5:30 P.M.

**PLANNING AND ZONING BOARD MEMBERS**

Present:

ERIC GILBERT, Chair  
LARRY DENYES  
E.V.E JOY

Absent:

JON MOORE, Vice Chair  
RANDY IABONI

Also in Attendance:

SCOTT RUDACILLE, City Attorney  
JEFF BURTON, CRA Director  
RACHEL LAYTON, AICP, Interim City Planner  
JAMIE SCHINDEWOLF, Planning Technician

Meeting called to order at 5:30 PM

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ORDER OF BUSINESS:

1. PLANNING & ZONING BOARD AGENDA APPROVAL

**The motion to approve the June 26, 2014 agenda was made by Mr. Denyes. Ms. Joy seconded the motion. The motion was approved unanimously.**

**Eric Gilbert asked for clarification regarding when the board began approving the agenda and questioned whether it was necessary. Mr. Rudacille explained that it is not a requirement, but boards such as the City Commission approve their agendas at the start of meetings. It provides a last chance to edit the agenda and ensures that any objections to certain agenda items are on the record. Mr. Burton added that it gives the public a chance to comment.**

2. APPROVAL OF MEETING MINUTES

(TAB 1)

**The motion to approve the May 29, 2014 minutes was made by Mr. Denyes. Ms. Joy seconded the motion. The motion was approved unanimously.**

3. PUBLIC COMMENT

**No members of the public were present.**

**Mr. Gilbert commented that the location of the public comment on the agenda had changed. Mr. Rudacille explained that putting public comment at the beginning of the meeting gives the public the opportunity to speak prior to board decisions.**

4. ORDINANCE 2014-14 COMPREHENSIVE PLAN CHANGES (J. BURTON) (TAB 2)  
AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE 2030 PALMETTO COMPREHENSIVE PLAN, ORDINANCE 2010-01, AS AMENDED; AMENDING AND ADDING DEFINITIONS; AMENDING THAT FUTURE LAND USE ELEMENT, THE TRANSPORTATION ELEMENT, THE COASTAL MANAGEMENT ELEMENT, THE CONSERVATION ELEMENT, THE PARKLAND OPEN SPACE AND RECREATION ELEMENT, AND THE PUBLIC SCHOOL ELEMENT; PROVIDING FOR AMENDMENTS RELATED TO THE COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR UPDATES; PROVIDING FOR A CODIFIED COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Mr. Gilbert requested that Mr. Burton give an overview of the Comprehensive Plan document and explain why changes need to be made. Mr. Burton explained the history of comprehensive planning in the state of Florida and the current state regulations that require municipalities to create comprehensive plans. He also explained that Palmetto is considered a rural city by the federal government due to the city's ties to agriculture, which means that the city qualifies for special grants to attract economic development. While the state does not review CRA plans, CRA plans can be audited by the state. Mr. Burton is proposing these amendments to ensure that the CRA plan aligns with the city's comprehensive plan. Integrating the CRA plan and the comprehensive plan helps the city to use CRA funding as incentives to attract businesses. Mr. Burton assured the board that the plan is a work in progress and can be amended over time.**

**Mr. Gilbert asked who had the final sign off on the comprehensive plan changes. Mr. Burton responded that the state has to sign off on changes.**

**Mr. Denyes commented on the need for a map to go along with the proposed changes to show what area of the city they affect. Mr. Burton explained that they align with an existing map from the comprehensive plan.**

**Ms. Joy asked what changing the downtown regulations will do to businesses on 8<sup>th</sup> Ave. Mr. Burton explained that since that corridor has always been vehicular, it will not have an impact.**

**Mr. Gilbert asked if it would be more restrictive to declare a particular area "downtown". Mr. Burton responded that there will be some challenges in making existing streets comply with the pedestrian nature of the changes.**

**Mr. Rudacille asked if there were any proposed changes to the Future Land Use Map. Mr. Burton stated that at this time there are no new Future Land Use Map categories as the focus is on downtown only, but that any map changes would need to come back to the board.**

**Ms. Joy asked what garbage cans have to do with a small town atmosphere. Mr. Burton stated that that was already in the comprehensive plan, but that garbage cans and dumpsters that abut the sidewalk are not pedestrian friendly because of their smell and unsightliness.**

**Ms. Joy stated that she would prefer to keep "bicycle and pedestrian ways" instead of using "multimodal corridors" and asked what "diversity of ownership" meant in relation to blight. Mr. Burton explained that the CRA plan and the comprehensive plan are supposed to align, so he used the term "multimodal" to align the documents with language from the Metropolitan Planning**

**Organization and the Florida Department of Transportation.** Mr. Rudacille explained that “diversity of ownership” does not refer to ethnic diversity, but rather reducing the number of individuals who can claim ownership to a piece of property.

Mr. Denyes asked if the measure of assessed values should be comparative. Mr. Burton responded that the statement about assessed values is in line with state statutes. Mr. Rudacille clarified to the board that the statements about what constitutes blight are indicators and one alone would not define an area as blighted.

Ms. Joy indicated that the document does not explicitly define “the Act”. Mr. Burton agreed to define the Act (Florida Statute 163) more clearly.

Mr. Denyes asked why, in the commercial land use category, the term “retail” was removed in favor of “specialty retail”. Mr. Burton explained that the previous language included multifamily as retail, and he also wanted to be clear that the plan called for pedestrian friendly retail. Mr. Denyes also indicated that he would prefer if commercial, industrial, and residential uses were broken into separate categories. Mr. Burton read the specific definitions of “industrial” and “commercial” from the plan to clarify their difference.

Mr. Denyes asked about the exclusion of entertainment and recreation from 8<sup>th</sup> Ave. Mr. Burton explained that recreation and entertainment are included in the downtown area but not in urban commercial zoning.

Ms. Joy asked why return flows from irrigated agriculture were excluded. Mr. Burton stated that the point source is not in the City of Palmetto so it was not relevant.

Ms. Joy asked about the meaning of the term “small town atmosphere”. Mr. Burton responded that the term comes from the City of Palmetto’s existing plan language. Mr. Rudacille indicated that the definition should remain in the plan.

Ms. Joy again mentioned her concerns over the trash can regulations.

Ms. Joy asked why the TIF section no longer specified “public improvements”. Mr. Burton explained that TIF was determined to not be considered tax dollars in a court ruling from the 1980s. Therefore, he removed “public” because the funds are used for a wider variety of projects.

Ms. Joy asked for clarification on nonconformities. Mr. Rudacille explained that the rule stating a building must be replaced with a conforming use if it suffers damage equivalent to 50% or more of its value is the City of Palmetto’s standard for nonconforming uses. Mr. Burton clarified that this is not a FEMA regulation and applies whether or not the property in question is in a flood zone.

Ms. Joy asked about the “LID” method of low impact stormwater management. Mr. Burton responded that this technique allows rain to percolate where it falls and prevents the need for retention ponds on valuable land.

Ms. Joy asked about the meaning of “water dependent activity” and whether one property owner would be able to block another’s view. Mr. Burton indicated that the term is already in the comprehensive plan and that the city planner would need to provide a better definition if desired.

**Ms. Joy questioned if “neighborhood character” statements meant to encourage mixed use or not. Mr. Burton explained that mixed use is allowed in the downtown commercial core and that in the RES-14 category home businesses are allowed.**

**Ms. Joy asked if there are maps to go with the changes. Mr. Burton said next meeting he will bring the existing maps.**

**Mr. Gilbert referenced Mr. Burton’s statement that the City could go back and revise the plan and asked if the board should continue the discussion at the next meeting to give board members a chance to review the changes. Mr. Burton replied that most of the questions have not applied to the proposed amendments and will need to be changed, if desired, in the future along with the City Planner.**

**Ms. Joy asked about the removal of a paragraph about endangered species on page 73. Mr. Gilbert stated that Mr. Burton did not take it out but instead replaced it. Ms. Joy requested that the plan reference Florida Fish and Wildlife Conservation Commission and not mention specific species. Mr. Burton said he removed it because it was redundant with city code. Mr. Gilbert stated that the city tends to not include regulations in a document if the regulation can be found elsewhere.**

**Ms. Joy mentioned water views a second time and cautioned that residents’ water views may become an issue in the future. She then asked if solar power would be incentivized given the statement that the City would “provide incentives to encourage developers to build low energy, affordable, etc.” Mr. Burton replied that any low carbon footprint enhancements would be worth including.**

**Mr. Gilbert opened and closed the public hearing.**

**Motion to approve the amendments was made by Ms. Joy. Mr. Denyes seconded. The motion was approved unanimously.**

5. Old Business

**No old business was presented.**

6. New Business

**Ms. Layton requested discussion of the next Planning and Zoning Board meeting date. The board agreed to skip July and hold their next meeting on the 21<sup>st</sup> of August.**

7. Adjournment at 6:57 PM.